

MEETING OF THE  
TRANSPORTATION AUTHORITY OF MARIN  
TAM

THURSDAY, JUNE 22, 2006  
7:30 PM

ROOM 330  
MARIN COUNTY CIVIC CENTER  
3501 CIVIC CENTER DRIVE  
SAN RAFAEL, CALIFORNIA

**MEETING MINUTES**

Members Present: Steve Kinsey, Chair, Marin County Board of Supervisors  
Susan Adams, Marin County Board of Supervisors  
Hal Brown, Marin County Board of Supervisors  
Charles McGlashan, Marin County Board of Supervisors  
Cynthia Murray, Marin County Board of Supervisor  
Paul Albritton, Alternate, Sausalito City Council  
Barbara Heller, Alternate, San Rafael City Council  
Dick Swanson, Mill Valley City Council  
Joan Lundstrom, Larkspur City Council  
Lew Tremaine, Fairfax City Council  
Melissa Gill, Corte Madera Town Council  
Peter Breen, San Anselmo City Council

Members Absent: Al Boro, Vice Chair, City of San Rafael  
Jeanne Barr, Ross Town Council  
Jerry Butler, Belvedere City Council  
Carole Dillon-Knutson, Novato City Council  
Alice Fredericks, Tiburon Town Council

Staff Members Present: Dianne Steinhäuser, TAM Executive Director  
David Chan, TAM Programming Manager  
Craig Tackabery, Marin DPW Assistant Director  
Tracy Cook, TAM Recording Secretary  
Nolte support team members

*Chair Kinsey called the Transportation Authority of Marin Meeting to order at 7:40 p.m.*

**1. Public Hearing – 2006/07 Budget**

Chair Kinsey announced the Public Hearing on the preliminary TAM 2006-07 budget, which has been available for 30 days. No public comment has been received to date; no one came forward to speak to it. The Public Hearing was closed. Action on the item was reserved as a later agenda item.

**2. Chair Report**

Chair Kinsey introduced Commissioner Gill, who expressed appreciation for recent work to provide a shuttle in Corte Madera/Larkspur area. No other commissioner comments.

### **3. Commissioner Matters not on the Agenda**

None.

### **4. Executive Director's Report**

ED Steinhauser stated that copies of the TAM Annual Report have been distributed and additional copies are available from Denise Merleno or ED Steinhauser. ED Steinhauser introduced new employee David Chan and provided a brief summary of his qualifications. She reported that staff is still working on the office lease, negotiating additional costs with the landlord, and a lease will hopefully be brought to the Board in July. She projected that the budgeted amount for an office lease will not be exceeded. She reported that they have interviewed various teams of financial advisors, with the goal of getting someone on board to deal with future debt issuance, and she will be giving the results of those interviews to the Board next month. An update will also be given next month on the first year progress of the Safe Routes to School program. Referring to the distributed Executive Director's Report for this month, she mentioned that Congress had begun activity on the federal budget for FY 2006-07, referencing earmarks for additional funds as listed on first page of the ED report (1<sup>st</sup> page of the supplemental). ED Steinhauser provided a brief summary of progress on the infrastructure bonds, how the eligible programs will be decided upon, eligibility requirements, and clean up legislation. She mentioned that a more detailed summary will be given next month, especially emphasizing the competitive programs such as corridor mobility. She reported on her plans to attend a number of upcoming meetings on the bond, particularly a meeting tomorrow with CTC and MTC staff among others, to begin discussions and a CTC Bond workshop next Tuesday in Sacramento. She committed to providing updates to the Board on these activities at the July Board meeting, which will include a workshop with MTC staff in attendance to discuss the details of the bond proposal and the progress that's been made. All Board members were encouraged to attend this July 27 meeting. ED Steinhauser reported that it looks like the State Budget will be approved next week and described the specific dedication of funds and spillover funds. Bay Area transit operators will likely receive double the amount of STA funds that had been projected. She stated that further information on what this means dollar wise to Golden Gate Transit and Marin County Transit District, as the eligible recipients of STA in Marin County, will be provided in the future. She continued with a brief summary of recent MTC activity in regard to STA. She also pointed out the recent articles in the press regarding the release of data by Caltrans and MTC highlighting a list of top ten most congested corridors. She referred the group to a map included in their packets illustrating that two of these top ten most congested corridors include Highway 101 through Marin County. ED Steinhauser stated that current estimates are that traffic has increased 10% in this area.

ED Steinhauser stated that later in the agenda the Board would be asked to approve a contract with All City Management Services for crossing guards and she provided a brief summary of that proposal. Between July 1 and the beginning of school in August, they will be attempting to hire 50 crossing guards. The agency is working with them to help get the word out about those positions. A flyer is being developed and ED Steinhauser asked for help in distributing this flyer to local groups and coalitions, to help spread the word about these available positions. She welcomed the Board's input on additional methods of disseminating this information and thus concluded her report.

Chair Kinsey confirmed no further questions or comments.

## **5. Commissioner Report**

### **a. Executive Committee**

Chair Kinsey opened this section of the commissioner report with a statement to let the minutes of the Executive Committee reflect the activities of the things spoken about or to be spoken about later in the evening; including moving forward on the Greenway corridor- the bike path policy that was discussed at the Executive Committee meeting, and a number of other notices and updates. He identified a request from his chair report for MCTD to make a presentation to the Board updating them on activities now that the short range transit plan and service plan have been adopted. MCTD is currently recruiting for a general manager and a number of other positions in the budget for staffing related to the new responsibilities that are being undertaken, including all of the responsibilities for marketing, customer responses, planning of routes, and coordination with our service provider. Chair Kinsey concluded by stating that MTCD would be asked to make a presentation in the next couple of months.

### **b. Marin-Sonoma Narrows Policy Advisory Groups**

Chair Kinsey reported that this group has not met, but an all agency meeting was held earlier this week, attended by ED Steinhauser, Chair Kinsey, Supervisor Murray, Caltrans staff, and SCTA members and staff; to discuss appropriate ways to prioritize and segment the work to take advantage of the limited funds available and to impress on Caltrans that if there are ways to use value engineering to lower the overall price of the project, that needs to be done. ED Steinhauser added that the challenge of the Marin-Sonoma Narrows corridor will be in relation to the infrastructure bond and the need for a funding plan. She referred the group to the new fact sheet that had been developed for the project and reiterated the need for a plan that shows a logical segment of the work that is fully funded. She spoke of the cost of the entire and stated that based on the environmental document produced for this 17 mile project, an open discussion with Caltrans and SCTA will be held about where to start, etc. She stated that they are gearing up for the infrastructure bond competition and urged the Board to stay tuned for further discussion once staff has been able to sort through the value engineering process starting in July. She stated that the goal is to see how we can size this down and that Caltrans is committed to looking at design exceptions and other methods to achieve this. ED Steinhauser stressed that it will have to be completed in phases and stages and there will be a need for discussions about prioritizing the safety issues involved with the project. In August or September, the administrative draft of the environmental impact statement will be received for internal review by staff, which is part of the formal NEPA process. This gives responsible agencies an opportunity to review it before it goes out for public comment, which will probably be in January or February of 2007. Chair Kinsey then concluded by stating that the top priority for limited funding would be to address current safety issues at interchanges, such as exists as Petaluma Boulevard at the southern end of the bridge.

Upon the Chair inviting public comment, Karen Nygren stated that she had reviewed all of the available information on the Marin-Sonoma Narrows project, including the alternatives, in addition to a PowerPoint presentation about how the project will be phased. She strongly urged the Board to make an effort to see this presentation because of the crucial need for their involvement sooner rather than later.

Chair Kinsey ended the discussion on the MSN project by stating how pleased he was that after many years of dealing with some very difficult safety issues, Redwood Landfill intends to be completely operational and have their flyover completed by the end of July. He expressed his gratitude to Supervisor Murray for having led the charge on this issue.

c. **SMART**

Chair Kinsey asked Commissioner Breen to report on SMART items. Cmr Breen reported that the FEIR hearing will be held in San Rafael on July 19 of this year and the final draft of that document will be sent out at the end of June. He added that yesterday the SMART Board approved a contract for development work to begin on Railroad Square in Santa Rosa. He asked Charles to speak about his experience on the selection committee, stating that this site may become a model for the North Bay and the nation for TOD. Cmr Breen also reported on his review and discussion with staff regarding the draft expenditure plan staff is preparing, to be completed between now and the 19<sup>th</sup> of July. He stated that the long-anticipated response to the 1800 comments will be available in the public hearing, and that he hoped the SMART board would accept it that afternoon, so that additional meetings wouldn't be required.

Charles McGlashan reported on the exciting developments involved in the Railroad Square project and commended the SMART Board for their high standards on the selection criteria, including the labor agreements, green building techniques, living wage commitments, bike parking, mixed-use retail, and affordable and market-rate housing. He stated that the proposal met all criteria and exceeded expectations, especially with regard to the proposed development for affordable housing, which, if successful, may lead to the first platinum neighborhood design certification west of the Mississippi.

**6. Consent Calendar**

- a. Approval of TAM Minutes of May 25, 2006
- b. Addendum to Agreement with Local Government Services, LGS, for hiring of staff
- c. Approval of Citizen's Oversight Committee Recommendation for Professional Services Agreement with Ricciardi & Associates for FY 05/06 Audit
- d. Amendment to Professional Services Agreement with CD+A
- e. Memorandum of Understanding with the County of Marin Regarding Staffing
- f. Committee Appointments – Citizen's Oversight Committee
- g. Professional Services Agreement: County of Marin for Accounting Services

Chair Kinsey asked and received a motion and that motion was seconded. All commissioners voted to approve the consent calendar as presented with the exception of Commissioner Adams of District 1 and Commissioner Heller of San Rafael who abstained from voting on item 6a.

**7. Caltrans Report**

Doanh Nguyen introduced himself and stated that he wanted to report on three items. He began with the Corte Madera Creek construction contract, stating that they had hoped to open the new HOV lane by the end of June, but it has been delayed and the current target is now mid July. Next he reported on the construction in Central San Rafael on West Francisco, which has been underway for approximately two months and is currently on schedule for completion by November; stating that there is work being

done on both sides of median, but it is most concentrated on the West side. As usual, they are dealing with some construction issues, but everything is moving along as planned. Lastly, he reported on the Richmond/San Rafael bridge deck rehab construction, stating that they are currently in negotiations with the contractor and work is scheduled to start in early August. Nguyen then opened the floor for questions and Chair Kinsey asked if this work involved replacement of the bridge deck, what the duration of the construction project would be, and if the majority of work would be completed at night. Nguyen replied that this project will involve deck replacement and was expected to take approximately one year to complete, with the majority of work being done in the summertime. Chair Kinsey asked if Nguyen could report on Highway 1 maintenance issues, as he was aware of the need for several major repairs in Marin County. Nguyen replied that there are currently eight locations being looked at; three of them involving one way traffic controls. They are currently working on funding and plans to complete the work before the next winter season. ED Steinhauser asked for a report on the Marinwood interchange and Nguyen stated that the County has prepared a study of several options for signalization at that interchange. ED Steinhauser stated that MTC, through their TETAP program, provided funds to analyze this location, and a draft analysis was provided to Caltrans and the County for comment. Nguyen replied that Caltrans has already provided comments on the draft and once an option is selected and requested of Caltrans, then a conversation about funding scenarios could begin. ED Steinhauser suggested that a more complete presentation on this subject be made at a future meeting.

#### **8. Bike/Ped Path Policy**

Chair Kinsey opened by asking ED Steinhauser to introduce the policy, stating that several commissioners had expressed concern about moving forward on it this evening. Chair Kinsey asked ED Steinhauser to clarify the issues involved and whether there was a need for immediate action on this item. He also asked her to present the recommendation and briefly describe the process used to develop this recommendation. Chair Kinsey then referred to the recommendation that reserves interest income to contribute to the cost of maintenance for the North/South Greenway.

ED Steinhauser described the lengthy and difficult process involved in developing this policy and divided it into two distinct elements. She stated that seventeen comments were received at the public hearing on the strategic plan, regarding the need to consider maintenance of specific elements of the bike path system, as part of the adoption of the strategic plan being considered for approval at this meeting. In light of these comments, some policy elements were considered which center around routine maintenance and major maintenance of the bike path systems. As a counterpart to that discussion, maintenance is considered an eligible activity under the sales tax measure, Measure A's Strategy Three for infrastructure. An initial request from the public had been to set aside funds from this strategy. Staff was also faced with a parallel process of trying to get resolution regarding who would maintain the Puerto Suello Hill multi-use path segment through central San Rafael. TAM held discussions with Caltrans, the County, the City, and everyone involved, to find a way to maintain the path that was agreeable to everyone. ED Steinhauser referred the group to the agenda item calling for approval of the cooperative agreement at this meeting, stating that \$23 million in federal funds that need to be obligated by the beginning of July are at stake. These federal funds require a cooperative agreement and the Coop Agreement must identify an agency responsible for the maintenance of the path. The \$23 million in federal funds are given to the MTC region; MTC has been "holding off the sharks" who want to take these funds, so we can access them instead. The federal funds obligation require an approved Coop Agreement, which is why the cooperative agreement needs to be approved tonight.

She stated that the City of San Rafael has encouraged TAM to find the funds to maintain this section of the path. The only funds available for this purpose are Measure Funds, but the only funds not already

assigned are the interest funds. In conclusion, ED Steinhauser summarized by stating there are two issues involved; one for the new path on Puerto Suello Hill that will need to be maintained, and the city has identified a need for TAM to help with this; and on the other hand, there's a strong push for advocacy that says we're not maintaining the path system we have and it's eligible for strategy funds and sales tax, so why aren't we dedicating measure funds to this need? ED Steinhauser stated that she was unfamiliar with the current condition of the bike path system, but that if a new path is to be built, there has to be a plan for how to maintain it. One of the recommendations made was to inventory the entire North/South Greenway bike path system, to objectively assess its current state, eliminate any conflicting messages, and allow for assessing the true need for this project in relation to other TAM projects. In the meantime, maintenance of the Puerto Suello Hill path is still being negotiated with the City of San Rafael and after this policy is adopted, it will be brought to the City Council, to see if they will consider taking over the responsibility for maintenance. She stated that per the Caltrans agreement, TAM is the agency listed as the operator and maintainer of this path. Responding to the question of whether any city managers or public works directors had been contacted about this issue, ED Steinhauser reported that there is a strong reluctance from these officials to take any money off the top of these strategies to deal with these smaller elements. Based on their feedback, and reviewing the history of the Expenditure Plan for Measure A, she stated that she could not in good conscience recommend one element of the project over the others. Their message was very clear that they don't want money reserved off the top. Staff's final proposal was based on the concept of TAM's making a major investment in the community- we're looking at a cost of between 8.5 - \$10 million dollars to be spent on the Puerto Suello Hill path system - the communities benefiting should look at providing this maintenance as partners in that capital investment. However, it is hard for cities to justify these funds without a contribution of funds from TAM for maintenance.

Chair Kinsey asked ED Steinhauser to confirm that the Strategic Plan, as drafted and presented at tonight's meeting, did in fact anticipate setting aside of the interest for this. ED Steinhauser referred him to page 21 of the supplemental materials, stating that in response to the comments, language was included in the Strategic Plan subject to the Board's discussion and review, and would only be included based on the decision reached by the Board. Chair Kinsey asked if this specific language didn't go into the strategic plan, would it would remain undefined, neither defaulting nor precluding future activity and asked ED Steinhauser for clarification of her reasons for wanting the Board to make a decision on the issue tonight. ED Steinhauser responded that the only time sensitive issue involved was the cooperative agreement.

Chair Kinsey then opened the subject for discussion and Commissioner McGlashen stated that at the SMART Board meeting yesterday an idea was discussed regarding the possible allocation of funds by SMART for bike path maintenance because of the proximity of the North/South Greenway to the rail corridor; however it still makes sense to have TAM as the lead agency, but others may make a contribution. ED Steinhauser stated that it was her understanding that SMART funds are only available for new facilities that SMART constructs and she is unsure there is any connection with the path segments that TAM builds. Cmr McGlashan responded that it might be prudent to revisit that concept with the SMART Board, since they will be the ones to make that decision.

Commissioner Lundstrom expressed concern with the proposal for 50% of the cost for routine maintenance and local jurisdictions come up with the rest. She spoke with the city manager and stated that because the timeframe is being driven by the Puerto Suello Hill segment, they have concerns regarding the definitions of what is north and south and how the 50% would be allocated. She stated that it seemed to be a very simplistic formula and cited examples of maintenance within the city limits as opposed to maintenance where city boundaries meet, that would complicate the decision making process using this formula. She also voiced concerns regarding the definition of routine maintenance.

Stating that her city had more tenure on this issue because they had put in the earliest pathways in the county and had received very few maintenance complaints, she reiterated the need for further study on ownership and maintenance requirements.

There was a brief sidebar discussion regarding the overall maintenance cost for the North/South Greenway having been projected as \$150,000, versus the cost for specific segments. Chair Kinsey then recognized Commissioner Adams, who stated that she was not interested in doing anything that would undermine the gap closure or take money away from the freeway project, but understood the need to get some kind of maintenance language included tonight. She reported on a recent bike ride on the pathway, where she encountered a lot of obstacles, including very bumpy roads and a rock slide on the segment between Marinwood and the end of Alameda Del Prado. She suggested providing an informational Email system or Web site to let riders know where they may be facing these hazards. Adams stated that the other important point is that TAM is an agency comprised of members from all the cities and towns in Marin and all have a commitment to the concept of multi-modal transportation methods. Adams stated there are times when we have to figure out how to work with the resources we have, especially for areas where segments are going to connect because there are issues related to partnering and funding allocations, and as an agency we need to figure out how to work together as a team on these issues. She reminded the group they would soon be looking at another \$25 million dollar expenditure for non-motorized pathways and stressed the interest expressed by the cities and towns of Marin County to be engaged in that process.

Chair Kinsey recognized Commissioner Gill, who expressed her view that the TAM Board is a steward for the Measure A funds and asked for clarification regarding why a jurisdiction like San Rafael that is getting an \$8 - \$10 million capital infusion, needed help from TAM. She also voiced concerns regarding liability, stating uncertainty as to whether anyone had considered those issues. Chair Kinsey recognized the alternate commissioner from San Rafael, Barbara Heller, who responded to Commissioner Gill's comments by stating that there was no great infusion of monies, and that any money raised through sales tax or other methods would be used to fill the huge deficit they are facing for maintaining their 17 miles of roadway and 5 miles of waterway. Gill responded that she was only referring to the capital project and the money they would be receiving to build the path. Chair Kinsey asked Mr. Preston, Director of Public Works for the City of San Rafael to respond to questions about maintenance related issues. Mr. Preston stated that his understanding of routine maintenance included such lower cost elements as street painting, sweeping, and litter or debris removal. He has spoken with the design team and asked them to make some small modifications to their plans for this kind of work. He mentioned that sweeping can be done quickly as part of the residential street sweeping program. However, irrigation, landscaping, graffiti removal, cleaning of the drainage systems and pipes, and lighting, will be the higher cost maintenance issues. Preston stated that his department would accept responsibility for these maintenance issues if the funding was available. He has consistently reported to Ed Steinhauser the need for funds. He cited the example of San Rafael's three mile shoreline pathway, where all of the landscaping has perished due to lack of funding for maintenance.

Chair Kinsey thanked Mr. Preston and recognized Commissioner Breen. Cmr Breen stated that this discussion should not be continued until an inventory had been made of the entire North/South Greenway and moved to put forth a motion to accept staff's recommendation that \$25,000 be spent on gathering the factual information necessary to have an intelligent discussion and avoid pitting one community against another. Chair Kinsey recognized the motion, which was seconded, to authorize the study. Commissioner Tremaine asked for clarification of TAM's responsibilities as outlined in the agreement with Caltrans. Chair Kinsey responded that TAM is the responsible agency and although they will pass this on to local jurisdictions, they will continue to participate to the extent that they can.

Commissioner Tremaine reiterated the importance of TAM's responsibilities to support the greenway and consider its eligibility for funding, stating that it's a major part of the philosophy the agency has put forward and TAM should therefore take the lead and accept primary responsibility. Chair Kinsey stated that a motion was on the table and was seconded, and he would receive public comment after Commissioner Albritton spoke. Chair Kinsey recognized Cmr. Albritton, who wanted to comment briefly on the policy and prioritizing of the projects approved for Measure A funds. He agreed with Supervisor Adams that it is a vascular system and although some of the most important legs of the North/South Greenway were created in response to needs identified in the 1970's and again in 2000, and are tremendously important segments, he encouraged the Board to move away from that type of prioritization, just as they had discouraged prioritization by cities or jurisdictions.

Chair Kinsey opened the floor for public comment.

Preston McCoy, a Terra Linda resident, stepped forward to comment that he was a frequent bicycle rider for shopping and recreational use. He shared some photos of the bike path closest to his home with the Board, so they could see the deterioration first hand. He stated that there is overgrown vegetation on the path and doesn't understand why maintenance of the bike path is different from maintenance of the roads, where the issues of responsibility for maintenance and liability have already been worked out.

Mark Birnbaum was next to comment and stated that he works in San Rafael and commutes by bicycle. Over the last six years he has seen the path become severely deteriorated. The pavement is falling apart and the rock slide referred to earlier has been there for six months. He stated that from his point of view as a cyclist, in order to have a serious discussion about bikes as part of the overall transportation system, the bike paths need to be maintained to a standard that will invite people to get out of their cars and that presently they do not invite or encourage people who are not hard core riders.

John Schlag, currently serving as vice president of Sustainable Marin, thanked the Board for the opportunity to speak and stated that they would like to support the staff recommendations. He complemented the Board on their fiscal responsibility and great commitment to sustainability. He stated that his concerns, as a member of Marin County Bicycle Coalition, related to the commitment to bicycling in the North/South Greenway as it fits into the larger picture of sustainability. He referred to letters appearing in the opinion pages of the Marin Independent Journal, expressing lots of support in Marin County for alternate modes of transportation. He also commented on the benefits of bike riding, not just for pleasure, but their role in taking a load off of the energy grid and similar correlations. He stated that bicycle coalitions provide great benefit to everyone by continuing their advocacy and that paths like the greenway are an enabling technology because they will get more people onto bikes. He concluded by stating that someday he would like to see the county adding lanes to the bikeway instead of Highway 101.

Eric Anderson thanked the Board and staff for their sustained attention to this issue and stated his strong support for doing an inventory of the North/South Greenway as a good first step in developing the overall maintenance strategy. He urged that future maintenance costs be considered for the, as yet, unbuilt facilities being planned for San Rafael, Larkspur, Corte Madera, Mill Valley, and possibly Sausalito. He stated that maintenance costs for these projects are still unknown and there are still complicated issues to be worked out. In looking toward the future, the goal is to develop a strategy to increase incentives for local jurisdictions to get involved in this process. He concluded by stating that these are complicated projects and maintenance is always an issue, but we're not talking about a large sum of money with the 50/50 match. He stressed that he is not asking the Board to adopt a strategy tonight, but feels that reserving the interest funding is a good first step.



Karen Nygren commented that while she is aware that everyone wants to improve mobility with Measure A funds, she wanted to Board to reconsider Commissioner Gill's earlier comment in regard to liability, and questioned whether the agency had considered that whoever takes on maintenance will also have to take on the liability issues as well. She questioned what would happen if someone were injured; specifically what TAM would do; i.e. would they carry insurance for this. She stressed that this is a major issue and should be part of the study in order to develop a strategy for how this will be addressed.

Jim Kirschner from Mill Valley commented that aging cyclists are always looking for safer places to ride in the county and that's what the North/South Greenway promises to be. He thanked the staff for their work on this issue and the progress they've made, stating that it looks as though maintenance is going to be critical to the success of the project, and that he supports their proposal and recommends that this issue be addressed sooner rather than later.

Scott Hockstrasser, an environmental planner who lives in Marin County, voiced his support for the strategic plan on maintenance and proposed the idea of using volunteer labor to maintain the paths, stating that they are lots of groups and organizations that might be willing to participate in this effort to have a cleaner bikeway. He cited brief examples of the types of concepts and programs that could be used, such as an adopt-a-path program, which he sees as an important element of the project. Chair Kinsey responded that staff has also recommended this kind of a program to assist the jurisdictions with their maintenance responsibilities. He reported that the executive committee had resisted the idea of paying for a coordinator to implement the program at this time because it would be somewhat premature, but would definitely be open to considering the addition of that position in the future once the other Greenway components are in place.

Chair Kinsey recognized Commissioner Heller, who stated that in San Rafael, their volunteer coordinator has already been contacted. Chair Kinsey then recognized Commissioner Breen, who stated that he wanted the motion to conduct the inventory to be amended to include the reservation of Measure A interest funds for now, and that following the inventory, further discussions can be held, but the interest funds should be reserved for now. He further stated that a policy should also be established allowing for the TDA Article 3 funds to be eligible for major maintenance of the path system. This motion was seconded.

Commissioner Adams stated that she had also had positive experiences with volunteer maintenance programs and that the more people who take interest and get involved in the community, the more people will show up for this. She reported that MCBC has expressed an interest in this and that the county has a volunteer coordinator who may be able to offer some guidance. She asked the Board to consider pursuing a request with MTC for a flexible usage agreement for bike path funds for major maintenance projects, which would address the issues raised by San Rafael and possibly other jurisdictions. She stated that this would be very valuable if major maintenance issues are identified and a city or town wants some assistance with that, so she recommended that TAM look into that to see if it's even a possibility.

Commissioner Lundstrom stated that in the interest of action tonight, this is all about routine maintenance; and the issue raised by Commissioner Adams regarding major maintenance should be considered a separate issue. She stated that Commissioner Breen's motion to get the inventory is a good first step; the details are important and will make this work for all of the multiple jurisdictions and owners. She further stated that an integral part of the effort is to identify sources of funds for routine maintenance and encouraged the Board to stick to that issue for now, as she voiced her support for the

motion as amended. Chair Kinsey noted that the amended motion did include the opportunity for TDA Article 3 funds to be used for major maintenance, and as the MTC Commissioner representing Marin he understands Commissioner Adam's concerns regarding the use of Regional Bike/ped funds, and will continue to pursue this issue, but doesn't feel it needs to be amended further. Commissioner Adams responded that she just wanted to see if it was possible to tap into those funds.

Chair Kinsey stated that now that public discussion had ended, there was a motion that had been seconded and he called for a vote. All members present voted in favor of adopting the motion.

## **9. Measure A – Transportation Sales Tax Strategic Plan**

Chair Kinsey opened the discussion by referring to the enormous and complex document with many components that represents the Measure A Sales Tax final Draft Strategic Plan. He stated his desire to see the Board adopt this document and asked ED Steinhauser to comment on any issues for further discussion. ED Steinhauser responded that this is a memorable moment because the document will program our Measure A funds for the next 20 years, with considerable public input and review. It assigns funds to various strategies and assumes revenue levels and makes projections on future revenue levels, and has financial policies associated with it and directions to sponsors on what we expect from them in terms of accountability in using the funds. ED Steinhauser stated that they had received public comments, both in writing, and orally at the public hearing on May 25, and that Trudy Presser was present to talk briefly about those comments, the recommended responses to those comments, and any changes to be made in the Strategic Plan. Ms. Presser referred the group to page 20 of the materials included in the supplemental packet, where the responses to the comments could be seen, along with the recommended changes to the plan. Only two written comments were received and the first one was related to local bus service, so the responses to those comments were provided by MTC and staff's recommendations were not to make any changes to the Draft Strategic Plan. The second comment was in regard to maintenance and the original recommendation of staff was to include language in the Strategic Plan to reserve funds for maintenance; however ED Steinhauser stated that based on the Board's decision this evening to proceed with the inventory and the temporary reservation of the interest funds until the inventory has been completed, the language in the Strategic Plan would reflect this instead. Preston summarized the other comments and stated that in regard to the last comment, on page 22, requesting that TAM participate by providing information on its Web site to easily track Measure A expenditures, as well as information about the governing boards taking action on these funds. The request was that TAM assist in tracking those activities however, the recommended response is that this responsibility does rest with the local agency and TAM will assist by providing information on its Web site. We are proceeding with a recommendation that jurisdictions receiving these funds notify TAM and that will result in the need to make a slight change to the funding agreements. Ms. Presser again referred to a summarized list of comments received last month at the Public Hearing and noted the responses. Chair Kinsey asked for clarification on the duration of the document being approved tonight and she responded by stating two years, but the resolution does allow for amendments to the plan between now and the two year mark.

Chair Kinsey put forward the motion to adopt the Measure A Transportation Sales Tax Strategic Plan, which was seconded, and then spoke of what a significant effort had been undertaken to create a successful sales tax measure and then turn it into this strategic investment plan, as he thanked everyone for their participation. Chair Kinsey called for a vote and all were in favor, the motion passed. Chair Kinsey concluded by stating that we now have a blueprint for our investment strategy.

## **10. 2006/07 Budget Adoption**

Chair Kinsey introduced the topic and referred to materials available in the supplemental packet. ED Steinhauser briefly summarized the information in the staff report, stating that it reflects a couple of minor adjustments to the budget. She reported on the decrease in staff costs due to new staff coming on board 30 to 60 days later than anticipated, and on the anticipated higher cost of the new office lease, as well as funding sources having been identified for the Marin-Sonoma Narrows project that are more realistic in terms of staff support. ED Steinhauser also reported on some matching funds that TAM will be using in concert with federal earmarks and then opened the floor for questions.

Commissioner Adams asked when the budget draft was first released and ED Steinhauser responded that it had been out for comment for 30 days. Chair Kinsey asked about beginning to undertake some east/west studies in the year ahead and if there was any particular location in the budget where this need could be addressed. ED Steinhauser stated that this issue would be addressed at the end of the second quarter, at which time she intends to do budget reconciliation, so that any necessary adjustments can be made and leftover funds for such a study identified. She reported that at this point in time, we're right up against the revenue we have and there's no room for anything else, so we'll have to see where we are six months from now and what our priorities are at that time.

Commissioner McGlashan asked whether TAM was committed to the HOT Lane Study at this time. ED Steinhauser stated that the money is being reserved for further discussion and that based on the results of the MTC study, we may want to do some follow up. It identifies funds but clearly indicates that this will come back to the TAM Board for further discussion prior to any action being taken. Chair Kinsey asked for a motion and a motion was put forth and seconded. All present voted in favor, so the Motion passed.

#### **11. Measure A Allocation – Marin County Transit District**

ED Steinhauser introduced new TAM staff member, Dave Chan, and stated that in the Board packet, a more detailed allocation request form was included regarding the \$ 8 million plus that we are recommending for the transit district. She stated that the first version of the allocation form that was mailed to the Board members was slim on information, and that Programming Manager Chan has been working on a revised version, in order to produce a form which fully discloses what the money is being spent on.

Chan introduced himself to the group and stated that he has been trying to get acclimated to all of the Marin County issues, before giving a brief presentation on the revised allocation request form. He outlined the four sub-strategies to maintain the bus system, which correlate to the amount requested, and stated that the previous funding agreement allocations for Measure A funds will terminate at the end of year and a new funding agreement will be entered into with MTCD. Chan added that MTCD Transit Manager Amy Van Doren is available to answer any specific questions about the allocation requests. Chair Kinsey asked if the allocation requests had been reviewed by the oversight committee in advance of presenting them to the Board, since an effort was being made to establish a protocol, or if they were only involved on an annualized basis. ED Steinhauser responded that to date the oversight committee has been involved on an annualized basis and we have not taken a specific allocation to them. She did briefly discuss with them a strategy for allowing the COC to be updated on upcoming allocation requests in the future. Chair Kinsey then asked if the money allocated for a capital investment of \$778,000 included any obligations to the Golden Gate Transit System or any other specific items, and confirmation that this amount is accurate in projecting the true extent of the capital investment for this year. Amy Van Doren introduced herself and stated that there is a longer list of to-do items than there are Measure A funds to pay for them and they are working to find ways to

accommodate those items. She reported that the major portion of their funds is spent on contractual obligations and outlined some of the strategies being developed to capture or create additional funding. Chair Kinsey called for any additional questions and then accepted the motion on the recommendation, which was seconded. All present voted in favor, so the Motion was passed.

**12. Professional Services Agreement with Carter & Burgess, Inc. for Greenbrae Corridor Preliminary Engineering and Environmental Services**

Chair Kinsey introduced this item, which is to provide for the Greenbrae Corridor preliminary environmental and engineering study. He then asked Bill Whitney to provide some brief highlights on the recommendations, since he is the project manager for this and other projects. Whitney stated that he is asking the Board to take action tonight on the next step toward implementation of the improvements in the Greenbrae Corridor, which is seeking a qualified consulting firm to prepare the necessary environmental documents. He reported on the timeline for the eight proposals that were received and of the members of the selection panel that was established to assist with the oral interviews and other parts of the review process. Carter & Burgess were ultimately recommended as the top team for consideration and they will be supported by a number of subconsultants. Whitney then read a passage from a book about context sensitive design, before introducing the Carter & Burgess Project Team Manager, Dina Potter to answer questions. Potter thanked the Board and stated that the process had been intense and she was looking forward to working with the TAM staff and the community to identify real problems and real consensus-based solutions because traffic is a tremendous issue today. Chair Kinsey stated he wanted to be sure she understood the Board's desire to ensure Marin fully embraces context sensitive design. Potter responded that every community has its own personality and she is aware that Marin County likes to be involved early and continuously, and that there are issues which may be discussed for a long time. Chair Kinsey recognized Commissioner Lundstrom who agreed with Commissioner Gill's expression of great enthusiasm for the choice of this team, stating that as communities, we don't think of it as just a Highway 101 project because of all the side streets in every community that get clogged up from the overflow traffic spilling onto these streets. Potter responded that Marin County is unique because it has to find a balance between both regional and local uses for its main street. Chair Kinsey thanked Potter and asked for a motion, which was received and seconded. All present voted in favor and the Motion was passed.

Chair Kinsey recognized Karen Nygren who asked when specific dates for the project would be available. Whitney responded that within the next 12 months this information would be made available.

Eric Anderson, on behalf of the bicycle coalition, asked if anyone on the team had a specialty in bike and pedestrian issues and Whitney responded by listing the credentials of several team members with this type of experience, particularly Alta Planning & Design and Parisi Associates.

Chair Kinsey put forth a motion, which was seconded. All present voted in favor, so the Motion passed. He confirmed that the work could commence, and then thanked the commissioners.

**13. Professional Services Contract with All Cities Management Services for Crossing Guard Services**

Chair Kinsey introduced this topic by stating that the Board was ready to go with staff's recommendation and called for any further questions or comments. He put forward a motion, which was seconded, and then asked ED Steinhauser to comment on the contract proposal. ED Steinhauser spoke of the challenge to hire 50 crossing guards and Chair Kinsey added that this program was to be put in place for next year, and that other sites were still being considered. ED Steinhauser talked about

phase one and two of the surveys being conducted on this issue, so that recommendations regarding these additional sites could be brought to the Board at the July meeting. She concluded by stating that this contract allows for both phase one and phase two to be addressed.

Chair Kinsey called for a vote on the Motion and it passed unanimously.

#### **14. Cooperative Agreement with Caltrans for 101 HOV Project, Measure A Allocation**

Chair Kinsey opened this item for discussion by stating that action needed to be taken on this tonight because it is required by Caltrans to obligate the funds that are available to the region. He stated that ED Steinhauser had assured him they could live with the terms of this agreement, although there are still ongoing discussions with the City of San Rafael regarding the City maintaining the bike/ped path. He asked ED Steinhauser to add her comments and she pointed out where a newly formatted version of this agreement received from Caltrans on Tuesday could be found in the Board packet. She stated that Caltrans Legal Department had recommended that only the changes to the old agreement be included, rather than repeating elements of the old agreement. ED Steinhauser presented this new version, noting that funding commitments and essential concepts were the same as the mailed out version they initially received. ED Steinhauser stated that Connie Preston was available to answer any specific questions. She reported that the good news was that TAM would not be obligated to put forward any funding for the project until thirty days prior to the other funds running out, and that with MTC federal funds and the STIP funds, it will be several years before we have to put any more Measure A funds into this. She further stated that we are committed to operating and maintaining the Puerto Suello Hill path facility and the multi-use path elements and will be working closely with the City of San Rafael to take on that role in a separate maintenance agreement.

Chair Kinsey accepted the motion, all present voted in favor and the Motion passed.

#### **15. Open Time for Items No on the Agenda**

ED Steinhauser heartily thanked Craig Tackabery for his service and support and announced his reassignment as of July 1, back to Marin County, where he will be serving as a County representative on TAM issues.

*By Order of Chair Kinsey, the TAM meeting adjourned at 9:40 pm.*